

Message

From: Vaughn, Stephanie [Vaughn.Stephanie@epa.gov]
Sent: 8/7/2018 9:14:47 PM
To: Donovan, Betsy [Donovan.Betsy@epa.gov]
CC: Kaur, Supinderjit [Kaur.Supinderjit@epa.gov]; Fajardo, Juan [Fajardo.Juan@epa.gov]
Subject: RE: Rolling Knoll - revised draft Appendix B to FS Report

Great, that sounds more positive – thanks for the update!

From: Donovan, Betsy
Sent: Tuesday, August 07, 2018 5:12 PM
To: Vaughn, Stephanie <Vaughn.Stephanie@epa.gov>
Cc: Kaur, Supinderjit <Kaur.Supinderjit@epa.gov>; Fajardo, Juan <Fajardo.Juan@epa.gov>
Subject: RE: Rolling Knoll - revised draft Appendix B to FS Report

We talked to Jill today and she's okay with Appendix B. She said that the FA concern was based in the App. B language, which mentioned the 25 acre selected area and everything else at the site. We convinced her that the purpose of App. B was to satisfy EPA's human health risk approach and in no way identified FAs.

We are trying to set up a call with NJDEP next week after we talk with FWS, maybe Thursday. She wants to have Maurice and Steve Mayberry on the call too, so I think you should be on it. She is fairly comfortable with my explanation of CERCLA authority limits, Wilderness Act restrictions, Five year review requirements, but not so comfortable with FWS not concurring with the proposed remedial alternatives and not allowing a deed notice.

John Persico has been calling me frequently and Supinder and I talked to him today too. He wanted to know about the state issues. We said that they are okay with App. B and most of the RTCs. He indicated that the group wants to go to Mark Peterson to talk about deed notice requirements. We asked him to hold off until we talked with NJDEP management next week.

From: Vaughn, Stephanie
Sent: Tuesday, August 07, 2018 1:39 PM
To: Donovan, Betsy <Donovan.Betsy@epa.gov>
Cc: Kaur, Supinderjit <Kaur.Supinderjit@epa.gov>
Subject: RE: Rolling Knoll - revised draft Appendix B to FS Report

Ugh. We have told them we are not using compliance attainment, and the PRPs removed it from the ARS document. I'm not sure where NJDEP thinks that functional areas are still coming into play. Do you know? If so, that language should probably be deleted. If you don't know, do you think we should ask them why they think the PRPs are still talking about FAs?

For what it's worth, I also don't think we'll be using compliance attainment during the RD/RA. All exceedances of the ARS values will be addressed – either through capping or excavation, right? I guess if we counted the main 25-acre area and the 10(?) APCs plus bare spots, then we can say there is the equivalent of 11 functional areas based on our current data, to be refined during the RD?

From: Donovan, Betsy
Sent: Tuesday, August 07, 2018 1:13 PM
To: Vaughn, Stephanie <Vaughn.Stephanie@epa.gov>
Cc: Kaur, Supinderjit <Kaur.Supinderjit@epa.gov>
Subject: FW: Rolling Knoll - revised draft Appendix B to FS Report

Looks like we are okay for now with Appendix B. How should we handle the compliance attainment/functional area comment? I think we can acknowledge that it will be part of the RD/RA in a response to Jill's email. (Which I think we've already done, but I need to check.)

From: McKenzie, Jill [<mailto:Jill.McKenzie@dep.nj.gov>]
Sent: Tuesday, August 07, 2018 12:19 PM
To: Donovan, Betsy <Donovan.Betsy@epa.gov>
Cc: Kaur, Supinderjit <Kaur.Supinderjit@epa.gov>; Erica Snyder <Erica.Snyder@dep.nj.gov>; Byrnes, Steve <Steve.Byrnes@dep.nj.gov>
Subject: RE: Rolling Knoll - revised draft Appendix B to FS Report

Hi Betsy. Erica reviewed the revised language and has determined that the revisions, as indicated below, are acceptable.

In order to prevent any confusion as we move forward, we also wanted to be certain that when we do get to the point in the process where we discuss and apply the NJDEP compliance attainment methods, that the use of 2 functional areas is not appropriate. As previously discussed, the correct application of the compliance attainment methodology will include the 5 functional areas discussed in previous Department comments.

Let me know if you still think that a conference call this afternoon regarding Appendix B is still necessary. Thanks! - Jill

From: Donovan, Betsy <Donovan.Betsy@epa.gov>
Sent: Tuesday, August 7, 2018 9:43 AM
To: McKenzie, Jill <Jill.McKenzie@dep.nj.gov>
Cc: Kaur, Supinderjit <Kaur.Supinderjit@epa.gov>
Subject: RE: Rolling Knoll - revised draft Appendix B to FS Report

Hi Jill, The following revision may address NJDEP concerns. For clarity, we will have Geosyntec revise Appendix B as follows:

Appendix B presents an approach for determining, and an evaluation of, the areal extent of remedial measures needed to address elevated human health risks calculated in the Baseline Human Health Risk Assessment (BHHRA) for the Rolling Knolls Landfill site. This evaluation is based solely on the BHHRA and does not take into account the Alternative Remediation Standards (ARSs) presented in Appendix A. Additional actions, beyond those described in this appendix, are needed to address portions of the site with concentrations that exceed the ARS values. These additional actions are described in the main text of the Feasibility Study report.

The purposes of this appendix are (1) to describe the evaluation used to identify the area where remedial action is needed to address the BHHRA risks ~~appropriate for soil~~ (the Selected Area) ~~at the Rolling Knolls Landfill Superfund Site located in the Township of Chatham, Morris County, New Jersey (the "Site")~~ and (2) to evaluate the risk to human health associated with soil that is not located within the Selected Area, again as based on the BHHRA. To evaluate risk to human health associated with the portions of the site ~~soil~~ that are not located within the Selected Area, the Exposure Point Concentration (EPC) of polychlorinated biphenyls (PCBs) in soil, the ~~primary~~ only risk driver at the site as determined by the BHHRA, was calculated and compared to a calculated Risk-Based Concentration (RBC) based on the ~~Rolling Knolls Landfill Superfund Site Baseline Human Health Risk Assessment Update~~ (BHHRA Update (dated July 5, 2018 and included in this appendix as Attachment B-1).

~~In addition to this risk-based approach, an Alternative Remediation Standard (ARS) for PCBs was developed in accordance with New Jersey Department of Environmental Protection (NJDEP) methods, as provided in Appendix A to the Feasibility Study Report. This evaluation demonstrates that remediating the Selected Area is protective of human health, and the EPC for PCBs in soil that is not located within the Selected Area is below both the applicable RBC and ARS.~~

From: McKenzie, Jill [<mailto:Jill.McKenzie@dep.nj.gov>]
Sent: Monday, August 06, 2018 6:11 PM
To: Donovan, Betsy <Donovan.Betsy@epa.gov>
Cc: Kaur, Supinderjit <Kaur.Supinderjit@epa.gov>
Subject: FW: Rolling Knoll - revised draft Appendix B to FS Report

Betsy – I tentatively put a hold on Erica’s calendar for Tuesday afternoon (8/07/18) for a conference call at 3:00 PM to discuss the Appendix B issues. Let me know if this date and time will work for you and Supinder.

Also, I’m meeting with my managers tomorrow at 2 PM to discuss the viability regarding use of a natural barrier as an engineering control in lieu of a fence. Hopefully I’ll have a better sense as to the circumstances under which this is allowable.

Lastly, do you have any updates as to whether USFWS will accept a remedy that involves a deed notice? As previously discussed, the DEP cannot provide concurrence with a final remedy without verification of concurrence of all affected property owners with the selected remedy. A separate, but related issue is that use of an ARS is not allowed without the establishment of a deed notice.

- Jill

From: McKenzie, Jill
Sent: Monday, August 6, 2018 3:55 PM
To: 'Donovan, Betsy' <Donovan.Betsy@epa.gov>
Cc: Kaur, Supinderjit <Kaur.Supinderjit@epa.gov>
Subject: RE: Rolling Knoll - revised draft Appendix B to FS Report

Betsy – Are you and Supinder available for a conference call tomorrow afternoon at 3 PM to discuss Appendix B?

From: Donovan, Betsy <Donovan.Betsy@epa.gov>
Sent: Monday, August 6, 2018 3:38 PM
To: McKenzie, Jill <Jill.McKenzie@dep.nj.gov>
Cc: Kaur, Supinderjit <Kaur.Supinderjit@epa.gov>
Subject: RE: Rolling Knoll - revised draft Appendix B to FS Report

No problem!! Thanks. We will be requesting some changes to the App. B language to make sure the purpose is clearly stated.

From: McKenzie, Jill [<mailto:Jill.McKenzie@dep.nj.gov>]
Sent: Monday, August 06, 2018 3:32 PM
To: Donovan, Betsy <Donovan.Betsy@epa.gov>
Cc: Kaur, Supinderjit <Kaur.Supinderjit@epa.gov>
Subject: RE: Rolling Knoll - revised draft Appendix B to FS Report

Sorry. I have no idea how the heck I hit the send button in the middle of my typing the response! I just sent you the finished version. Will check Erica’s schedule for a conference call.

From: Donovan, Betsy <Donovan.Betsy@epa.gov>
Sent: Monday, August 6, 2018 3:26 PM
To: McKenzie, Jill <Jill.McKenzie@dep.nj.gov>
Cc: Kaur, Supinderjit <Kaur.Supinderjit@epa.gov>
Subject: RE: Rolling Knoll - revised draft Appendix B to FS Report

Hi Jill, We always welcome a conference call with you to discuss any concerns. I don't see the draft concerns in the email message, could you re-send? Thank you!

From: McKenzie, Jill [<mailto:Jill.McKenzie@dep.nj.gov>]
Sent: Monday, August 06, 2018 3:22 PM
To: Donovan, Betsy <Donovan.Betsy@epa.gov>
Cc: Kaur, Supinderjit <Kaur.Supinderjit@epa.gov>
Subject: RE: Rolling Knoll - revised draft Appendix B to FS Report

Hi Betsy. I received the following draft concerns from Erica regarding the revised Appendix B. I think a conference call to discuss these issues would be beneficial before we finali

From: Donovan, Betsy <Donovan.Betsy@epa.gov>
Sent: Monday, August 6, 2018 2:39 PM
To: McKenzie, Jill <Jill.McKenzie@dep.nj.gov>
Cc: Kaur, Supinderjit <Kaur.Supinderjit@epa.gov>
Subject: RE: Rolling Knoll - revised draft Appendix B to FS Report

Hi Jill, Will NJDEP have any Appendix B comments?

From: McKenzie, Jill [<mailto:Jill.McKenzie@dep.nj.gov>]
Sent: Monday, July 23, 2018 4:40 PM
To: Donovan, Betsy <Donovan.Betsy@epa.gov>
Cc: Kaur, Supinderjit <Kaur.Supinderjit@epa.gov>
Subject: RE: Rolling Knoll - revised draft Appendix B to FS Report

Hi Betsy. Tomorrow at 3 PM works for me. Can I assume that you only need me on the call and not Steve or Erica? Also, will you be calling me or will I need a call-in number?

PS: Hopefully the weather forecast improves for Thursday. I'm okay with the rain (sort of) but the predicted T-storms give me pause. I guess we can play it by ear.

From: Donovan, Betsy <Donovan.Betsy@epa.gov>
Sent: Monday, July 23, 2018 4:09 PM
To: McKenzie, Jill <Jill.McKenzie@dep.nj.gov>
Cc: Kaur, Supinderjit <Kaur.Supinderjit@epa.gov>
Subject: RE: Rolling Knoll - revised draft Appendix B to FS Report

Hi Jill, July 31 is okay for Appendix B. Supinder and I would like to discuss your June 29 FS comments with you. Would tomorrow at 3pm work for you? We are still planning to meet at the site at 10:30 on Thursday. Thanks!

From: McKenzie, Jill [<mailto:Jill.McKenzie@dep.nj.gov>]
Sent: Monday, July 23, 2018 10:01 AM
To: Donovan, Betsy <Donovan.Betsy@epa.gov>
Cc: Kaur, Supinderjit <Kaur.Supinderjit@epa.gov>
Subject: FW: Rolling Knoll - revised draft Appendix B to FS Report

Hi Betsy. I've forwarded this to my case team, however, they have informed me that they will not be able to complete their review until July 31st. If you could wait, until then, for our response on this revision, it would be much appreciated. Thanks in advance. - Jill

From: Donovan, Betsy <Donovan.Betsy@epa.gov>
Sent: Thursday, July 19, 2018 4:21 PM
To: Sivak, Michael <Sivak.Michael@epa.gov>; McKenzie, Jill <Jill.McKenzie@dep.nj.gov>
Cc: Kaur, Supinderjit <Kaur.Supinderjit@epa.gov>
Subject: FW: Rolling Knoll - revised draft Appendix B to FS Report

Please take a look at the revised Appendix B and let us know if you have any comments. Thank you!

From: John Persico [<mailto:JPersico@Geosyntec.com>]
Sent: Thursday, July 19, 2018 2:05 PM
To: Donovan, Betsy <Donovan.Betsy@epa.gov>; Kaur, Supinderjit <Kaur.Supinderjit@epa.gov>; Vaughn, Stephanie <Vaughn.Stephanie@epa.gov>
Cc: Seth Kellogg <SKellogg@Geosyntec.com>; Julia Ryan <Julia.Ryan@Geosyntec.com>; Jessica Yeager <JYeager@Geosyntec.com>; Richard Ricci <r Ricci@lowenstein.com>; Gabala, Allison <AGabala@lowenstein.com>; mfaigen@issuesllc.com; 'Fisher, Gary (Nokia - US/Murray Hill)' <gary.fisher@nokia.com>; alalonde@riker.com; robb.truedinger@novartis.com; Michael Draikiwicz <mdraikiwicz@enviro-sciences.com>; steven.goldfarb@novartis.com; Irvin M. Freilich <ifreilich@gibbonslaw.com>; Shawn LaTourette <slatourette@gibbonslaw.com>; Mirza-Reid, Sofina <sofina.mirza-reid@novartis.com>; Bergeron, Brian P <pete.bergeron@chevron.com>; 'Hughes, Richard' <rhughes@jw.com>
Subject: Rolling Knoll - revised draft Appendix B to FS Report

Betsy, Supinderjit, and Stephanie – the revised draft Appendix B for the Rolling Knolls FS Report is attached for your review. It has been revised in accordance with our discussion on June 22, and with information in the BHHRA Update you provided to us on July 5.

Let us know if you have any questions.

John L. Persico, P.G.*
Principal
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609 903 6227 (cell)
*Pennsylvania

